PRESIDENT HITS AT FRANCHISE TAX TRUSTSINMESSAGE

Says that It Is Within the Power of Congress to Out the Evil Out of the Big Combines.

WASHINGTON, Dec 2 .- President Rooseveit's message consists of about 10.000 words. This is shorter than the average Presidential message of recent years. It is not startling in any of its recommendations, and if Wall street shies at it they will do the unexpected.

The principal points touched on are these: THE TRUSTS, which the President urges should be regulated by Con- TWELVE MILLIONS AT STAKE. gress under the power to regulate interstate commerce, with a view to destroying only the evil in them. If this power does not exist, then he wants constitutional amendment.

THE TARIFF, which he thinks has no bearing on the evils of trusts and which chould be modified in the main by reciprocity treaties, the principle of protection being always kept in view.

CHIEF POINTS URGED IN THE PRESIDENT'S MESSAGE

shed gold standard."

tic statement of the present prosperity of the country. "This prosperity." it of the country. "This prosperity." says, "is not the creature of law, but undoubtedly the laws under which we work have been instrumental in creating the conditions which made it pos- LABOK'S RIGH! TO ORGANIZE sible, and by unwise legislation it would be easy enough to destroy it." Continuing, the President says on this

subject in part: "Great fortunes have been won by those who have taken the lead in this phenomenal industrial development, and nomenal industrial development, and often as of these fortunes have been won as it not by doing evil, but as an incident to action which has benefited the com-munity as a whole. Never before has

often necessary for laboring men to work in federations, and these have become important factors of modern industrial life. Both kinds of federation, capitalistic and labor, can do much good, and as a necessary corollary they can be the wealth of the people as a whole. The plain people are better off than they have ever been before.

"Of course, when the conditions have favored the growth of so much that was good, they have also favored somewhat the growth of what was evil. It is eminently necessary that we should endeavor to cut out this evil, but let us keep a due sense of proportion; let us keep a due sense of proportion; let us keep a due sense of the proportion; let us keep a due sense of the proportion; let us keep a due sense of the growth, but let us keep a due sense of the proportion; let us keep a due sense of the proportion to the proportion to the proportion to

are real and some of them are members. The conterpositions of the outer of the property of the progress of our gigantic industrial development. This industrial development that industrial development the should go such progressive regulation as will diminish the evils.

DANGER NOT IN COMBINES,

BUT IN MISMANAGEMENT.

"A fundamental base of civilization is the inviolability of property but this is in no wise inconsistent with the right of society to regulate the exercises the property in the property of the compositions, and expending the property in the property of the compositions, and expending the property in the property of the compositions, and expending the property with the property of the compositions, and expending the property will be consumed in the property of the pro

IF THE PROPOSED LAWS FAIL

AMEND THE CONSTITUTION.

"I believe that monopolies, unjust discriminations, which prevent or cripple competition, fraudulent overcapitalization, and other evils in trust organizations and practices which injuriously affect interstate trade can be prevented under the power of the Congress to regule commerce with foreign nations and among the several States' through regulations and requirements operating directly upon such commerce, the instrumentalities thereof, and those engaged therein.

The work of the Hague tribunal is praised and the hope is expressed that other nations will follow the lead of the United States and Mexico in the submitsed under the power of the Congress to require the power of the company by and among the several States' through regulations and requirements operating directly upon such commerce, the instrumentalities thereof, and those engaged therein. I earnestly recommend this subject SUBJECT FOR CONGRATULATION

On this subject he says:

"Many of the largest corporations, many of those which should certainly be included in any proper scheme of regulation, would not be affected in the ship with the general properity of the country. The only relation of the tariff to big corporations as a whole is that the early proposed would not say the start as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against turns unprofitable. To remove the tariff as a nunitive measure directed against them. The question of the tariff revision is a nunitive measure of tariff revision."

BELIEVES THAT PROTECTION

MUST NOT BE ABANDONED

As to tariff revision fiself, the President asserts that protection has been fairly been connected. The work of the Post-Office Departments to Annapolis is also provided from the question of tariff revision. The question of the first production is a nunitive measure of the defense only attempted to reduce the amount of the verdict, with interest, makes a nunitive measure of tariff revision. The defense only attempted to reduce the amount of the verdict, with interest, makes a nunitive measure of tariff revision. The defense only attempted to reduce the amount of the ve

MUST NOT BE ABANDONED

As to tariff revision itself, the Presint asserts that protection has been irrely responsible for the country's coparity. Therefore, this principle us be preserved. He suggests reduct treaties as one way to get the individually and urges their spiton. In this way he thinks our set activities may be widered and lowering of the duties where they not needed may be accomplished. The work of the Post-Office Deparment in Increasing the rural free delivery is commended and Congress is urged to increase the appropriation for this our one will be accomplished. The work of the Post-Office Deparment in Increasing the rural free delivery is commended and Congress is urged to increase the appropriation for this our one will be used to the benefit of the West, to increase in into another sets accommodation is the lower on anthractic coal.

The work of the Post-Office Deparment in increasing the rural free delivery is commended and Congress is urged to increase the appropriation for this our pose.

Further legislation is recommended for the benefit of the West, to increase in rigation, preserve forests, protect game and keep the public lands from being violated by squatters.

Fratal Wreck on Rio Grande.

GRAND JUNCTION, Col., Dec. 2.—The Pacific Coast Limited train, west-bound on the Rio Grande Western Railroad, ron into a huge rock side two miles east of the business heeds of the the train frature legislation on the Rio Grande. The recommends no plan but that all future legislation on the Rio Grande Western Railroad, ron into a huge rock side two miles east of the train frature legislation on the Rio Grande Western Railroad, ron into a huge rock side two injured. None of the precommends no plan but that all future legislation on the Rio Grande Western Railroad, ron into a huge rock side two injured. None of the precommends no plan but that all future legislation on the Rio Grande.

Argument on the Constitutionality of the Law Is Begun Before the Court of Appeals

ALBANY, N. Y., Dec 2.-The argunents on the special franchise tax law were begun before the Appellate Division of the Supreme Court Third Department, to-day just five hours after the death of former Judge Robert Earl, of Herkimer, who was the eferce who upheld the constitutionality ellate Division.

and Brooklyn Railroad Company, the New Amsterdam Gas Company and the onsolicated Telegraph and Electrical

An Immigration bili such as was passed by the last House is again recommended.

Then the message says: "This is an era of federation and combination. Exactly as business onen find they must often work through corporations, and as it is a constant tendency of these corporations to grow larger, so it is often necessary for laboring men to work in federations, and these have become important factors of modern in-These corporations have been selected because their cases cover all of the points of law and facts involved in the

Judge Earl Was Upheld.

onfirmed by Supreme Court Justice D. Cady Herrick on July 15 last. It found that the special tax law violatel neither the State nor the Federal constitutions missioners is not required in determining the value of a special franchise to separate the value of the tangible from the value of the intangible property the rate of ta: on on special franchises should correspond with the rate applied in determining the value of other species of real estate in the same tax district.

The appeals invoive the payment gating \$3,000,000 and affect unpaid taxes by those corporations amounting to \$12,

The President announces that he hopes shortly to to submit a Cuban reciprocity treaty and urges generosity in our treatment of the weak little Republic, which through the Platt amendment we have already in a sense, made a part of our political system.

He announces a reciprocal convention affecting the United States and Newfoundland has been arranged with Great Britain and will shortly be laid before

e Park avenue tunnel collision

has, up to the present time, cost the New York Central Railroad in eighteen damage suits for deaths and injuries, more than \$400,000. Mrs. Jennie Leys \$100,000 Henry G. Dimon 60,000 E. C. Hinsdale Winifred Stutz.... Oscar Meyrowitz.... Peter Murphy

"I earnestly recommend this subject to the consideration of the Congress with a view to the passage of a law reasonable in its provisions and effective in the subject in t

Tour druggist will refund your money if PASO DINTMENOT fails to ours Ringworth, Tetter, Old In Disors and Sorse, Pimples and Blankhauts on the face and all sits discount. To come and

GRACE STOWELL, CO-RESPONDENT *******************



(Continued from First Page.)

es, sir, and took me out to dinner his mother on Thanksgiving Day. Says She Sold Him Embroidery.

This inished the cross-examination, Mr. Hummel called Samuel Drasin, ot No. 383 Rockaway avenue, Brooklyn, Mr. Drasin is a broker in trimmings, He swore he had bought many beautiful pleess of embroidery from Miss Stowell.

After Warren Hussey, a retired bankplaying all the way from \$15 to \$50 each for them. He said he had paid her over \$1,000 in the past year.

Mr. McCormack cross-examined Mr. Drasin sely and finally asked him to describe accemaking, but on objection by Mr. Hummel the Court refused to permit Mr. Drasin to describe the art.

Attacking Mrs. Wyatt. Attacking Mrs. Wyatt.

ested? A. I would not believe her under oath.

Mrs. Wyatt lifted her eyebrows and smiled when the witness thus blackened her reputation, Otherwise it did not appear to disturb her.

William C. Kempland, of No. 16i West Eigthy-first street, a representative of a lithographing establishment, was then called.

Q. Is it good or bad? A. Bad. Q. Would you believe her under oath? A. I would not.

A. I would not.

John E. Bell was the next witness. He
is an advertising agent. He, like the
preceding witness, declared that he
would not believe Mrs. Wyatt under
oath. He testified that he had been at
the house No. 209 West Forty-eighth
street and had never seen any improprieties between Valentine and Miss Stowell.

Attacking Mrs. Wyatt.

The deposition of Ruby Tambro, with whom Mr. Valentine roomed at No. 19
West Ninety-third street, while his room at home was being papered, was read, and Ured E. Williamson, of No. 117 West Eighty-first street, was called. He is manager of a folding box company. He knew Mr. and Mrs. Valentine and Mrs. Wyatt. He boarded at Mrs. Wyatt's Hele Boarded at Mrs. Wyatt's Hele Boarded at Mrs. Wyatt's Hele Boarded at Mrs. Wyatt's Lindident, corroborating Valentine in this respect.

Q. You know Mrs. Wyatt? A. Yes.
Q. What is her reputation for truth and veracity? A. Not good.
Q. Would you be ye her under oath in any matter in which she was interested? A. I would not believe her under oath.

Mrs. Wyatt was then recalled. She destined that who had sworn against her, more thin once. Kempland had never been inside of her house.

Mrs. Helen B. Kelly, a nurse, who has charge of Valentine's children and takes them to see Mr. Valentine every sunday contradicted Valentine's assertion about their conversation.

"Mr. Valentine," she said, "told me that Mrs. Valentine did not have a ghost of a chance to win her suit, because he had already secured one of Mrs. Wyatt's character for veracity. Virging McMaster's, of No.

smiled when the witness thus blackened for reputation. Otherwise it did not appear to disturb her.

William C. Kempland, of No. 161 West Eighthy-first street, a representative of a lithographing establishment, was then called.

Q. Do you know Mrs. Wyatt? A. I do.

Q. Do you know her general reputation for truth and veracity? A. I do.

CANFIELD LEAVES CITY: JEROME IS SATISFIED.

(Continued from First Page

NEW YORK CENTRAL. data and looking up cuts. The result night. In the first place we got the In addition, a lot of policemen knew if a little effort is used. all about the raids. Inspector Brooks got the word at 2 o'clock in the after- was worth its salt they could do more that something was up and the something was upon the something

It was almost noon before Jerome got It was almost noon before Jerome got to his office. Then he began talking at length on his achievements of the night before. He was in high spirits and seemed to think he had accomplished everything he went out for, although he said he was sure that the gambiers had been tipped off.

What the Raid Means.

"We accomplished two things last on."

"We accomplished two things last on

enough of a hint was given for a wise and in the second place we showed that gambler to shut up shop, even if he had not got information from other sources. tered by any one and evidence obtained

noon. Fourteen of his men got notifica- than add up the number of years a lot tions to be on hand. Fourteen policemen have a good many acquaintances, and even though they did not know what felony and the Detective Bureau has no was going to happen, they could surmise right to decide what felonies they will that something was up and that would get evidence against and what they

When he was asked why he did not

ing a searching examination.

The usual motion to set the verdict Marshal Thomas Freel to conduct thir- ed any but the Wooster street fire. this purpose.
Further legislation is recommended for the benefit of the West, to increase irrigation, preserve forests, protect game and keep the public lands from being violated by squatters.

provided that the New York Central will busy the sum awarded and be glad it was not more.

pay the sum awarded and be glad it was not more.

COAL MOVES MORE FREELY.

East Sixty-seventh street police station this afternoon and lodge a complaint of arson against him. The prisoner, who is almost tiny for his age, had to be lifted up by his two blue-coated captors. so that the sergeant might see him and The post-office at Metuchen was entered

not find him until this afternon, when man Admits to Fire Marshal they took him to Fire Marshal Freel's office, where he confessed to Freel He Started Blaze in started the Wooster street fire. He explained his action by saying: "I love to see things burn, and I

thought it would make such a nice big blaze. The boy was taken to the Children's Court, where he was held for further examination, the police believing that the boy is a confirmed firebug, though he maintained that he had never start-

BURGLARS TRIED AGAIN.

Frightened in Fourth Raid or Post-Office and Got Nothing. (Special to The Evening World.)

NEW BRUNSWICK, N. J., Dec. 2.of Distribution.

PHILADELPHIA, Dec. 2.—The distribution of anthracks coal is being gradually extended by the Philadelphia and Reading Railway Company. A few orders from the West have been accepted and shipments to New England and the South have been increased.

The Beading Company has begun to make deliverise over the Pennsylvania lines, particularly to Baltimore and Weshington.

Set his pedigree.

Little Samuel, who is accused of a crime for which one man is now serving a sentence of forty-eight years in Sing Sing, lives at No. 21 Columbus street. In the morning he goes to school and in the South have been increased.

The Beading Company has begun to make deliverise over the Pennsylvania lines, particularly to Baltimore and Weshington.

The Department officials have been conduct.

IN THE VALENTINE DIVORCE SUIT. ALDERMEN DODGE CANTOR FIGHT ON TUNNEL

> Board Hurriedly Adjourns When Mr. Meyers Asks When the Pennsylvania Franchise Is to Be Reported.

DIEMER'S QUEER TACTICS. CAN HE AUTHORIZE TUNNEL?

cation was accompanied by a written streets. argument in favor of the adoption of the certificate in its present form.

referred to the Railroad Committee." said Alderman Doull, who has taken a decided stand against the franchise "No! no!" exclaimed Alderman Mc-'all, who is a member of the Railroad Committee. "We don't want it in committee. I move that the communication be placed on file-on the table, under van, who charged that President Cantor the table or any old place-but not the had attempted to usurp the authority of committee."

The Aldermen's objection was emphatic. Then he winked at Alderman Doull. The latter read the signal and subsided. The communication was placed question at issue under the head of fran-

Olemer Not Present.

Then came a pause while general orders were being read. It was observed that Alderman Diemer, Chairman of the Railroad Committee, was

Alderman McCall was surrounded by a group of Tammany members of the Board, including young "Tim" Sullivan.

Aldermanic voices from the Tammany clade of the Hall were heard with motions to adjourn.

Alderman Meyers has the floor," said "Alderman Meyers has the floor," said President Fornes, "and I will state that we may expect the report of the Railroad Committee next week."

"I move we adjourn," again came from Alderman Bridges. The motion prevalled and the day's history of the range of the Pennsylvania tunnel franchise was written.

MALCOLM M'DONALD DEAD. HOMER TO SING ON FRIDAY.

Broker and Promoter Expires Suddenly in Law Office. Malcoim McDonald, a broker and promoter, of No. 20 Broad street, dropped dead of heart disease this afternoon in the law office of Logan, Demond & Hanford, No. 27 William street. Mr. McDonald had been in the office but a few minutes. He was talking with one of the firm when his head suddenly fell forward and he toppled off the chair dead. dead.
McDonald was 65 years old. He lived deluged with inquiries and comments, acter. Scotla three years ago.

STRANGE DEATH OF G. LEYH.

Wealthy Truss Manufacturer Probably Drank Acid by Mistake. George F. Leyh, a wealthy manufacturer of trusses, at No. 73 Broadway. Williamsburg, died suddenly this after-Williamsburg, died suddenly this afternoon after drinking a half glass of chemicals which he had in a beer bottle. Indications point to his act having been the result of a mistake.

On the table by his lunch was a beer bottle which contained acid used in the factory. Part of the contents had been taken by Leyh. His daughter thinks he got hold of the bottle by suigatak. The old man was well and happy and there was no reason why he should kill himself.

LONDON MARKET FIRM.

merican Railway Securities Irregular with Hesitating Tone. was a bad fire in the six-story building at 158 Wooster street, and no one in the building could tell ho wit was started. The police began an investigation and learned that little Sammy had been seen in the neighborhood of the fire before it started.

Policemen Sullivan and Lyons, of the East Sixty-seventh station, were sent down town to arrest the boy, but could not find him until this afternon, when The London market to-day showed

Borough President Grants the Erie Road the Right to Remove Its Tracks at Twentythird Street.

At the meeting of the Board of Aldero-day, and the Pennsylvania Raliroad men to-day Alderman "Tim" Bullivan scored President Cantor roundly for Talk started when the Clerk read the granting permission to the Eric Railroad announcement of the receipt of a com-munication from the Merchants' Associ-ation urging speedy action by the board on the tunnel franchise. The communi- Twenty - eighth and Twenty - ninth

> he company recently made application to the board for the privilege of removing the tracks. The mater was referred to the Committee on Highways. General meetings were held, but no decision was reached.

from President Cantor empowering the purities; corrects the stomach with company to go ahead with the work. That is what aroused Alderman Sullithe Board.

The Aldermen presented a resolution accompanied by an opinion of the Corporation Counsel to the effect that the chises and the laying of tracks was therefore illegal. The resolution called upon Commissioner Partridge to prevent the further laying of tracks. The reso-lution was adopted unanimously.

Mr. Cantor Explains.

Borough President Cantor reached the Aldermanic Chamber after the resolution was passed. He got permission to made an explanation, and said he had carefully safeguarded the prerogatives text of the permit, which gave the permission only temporarily, and stated that the company must take up the tracks should it fall to obtain permisthe who discussed with him the various phases of the franchise.

Former Assemblyman Samuel Prince, who represents organized labor in the opposition to the franchise in its present form, entered the chamber and was shown to a seat in the body. Members frequently conferred with him.

Alderman Diemer drifted in from Williamsburg an hour late. He was at once approached by Aldermen Tim Sullivan and McCall. Then the second skirmish of the day took place. Aldermân Diemer got the tip in advance. He hurriedly left the chamber and entered the anternoom.

Alderman Meyers at once arose. "I would like," he said, "to be informed when we may expect the report of the Railroad Committee on the matter of that gree; enterprise, in which we are all so much linterested—the Pennsylvania Railroad Tunnel franchise."

Alderman Bridges, for reason's known only to himself and his Brookly collegues, was prompt with a motion to adjourn.

President Fornes—Alderman Meyers has the floor.

Alderman Fornes—Alderman Meyers has the floor.

Alderman bridges from the Texas and the first of the permit, which gave the permits take up the tracks should it fall to obtain permission only tending in the company must take up the tracks should it fall to obtain permission that the from the Board of Alderman such temporation, and the change in the right to grant such temporation, and the right to grant such temporation, and the change in the right to grant such temporation on the matter of the bear of the Borough will revise of the Borough will revise the permit. The opinion of the Corporation Counsel shows that it is a franchise."

Alderman Bridges, for reason's known only to himself and his Brookly collegues, was prompt with a motion to adjourn.

President Fornes—Alderman Meyers has the floor.

Alderman bridges, for reason's known only to himself and his Brookly collegues, was prompt with a motion to adjourn.

President Fornes—Alderman Meyers has the floor.

Alderman Dienical the permit, which gave the permits take up the tracks was of the nature of a new

"Under the present terms of the fran-chise I think I could grant such a per-mit." Mr. Cantor repiled. "Well." retorted Mr. McCall," I hope-you'll be very careful and not grant it in advance."

Illness of Daughter Caused Delay in Her Appearance in Opera.

Other domestic complications, notably the very serious illness of her daughter have largely been responsible for the recent inability of the popular contract to appear. She has now, however, fully recovered, and will sing the role of Maddalena in "Rigoletto" on Friday evening next.

SHIPPING NEV'S.

ALYMANAC TO-DAY.

Sun rites. 7.03|Sun sets. 4.34|Moon sets. 6.58

THE TIDES.

High Water. Low Water.

A.M. P.M. A.M. P.M.

Sandy Hook. \$5.51 9.19 2.41 3.99

Governor's Island 9.18 9.49 3.16 3.54

Hell Gate Ferry. 11:11 11:33 4.48 5.20 PORT OF NEW YORK.

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Importations for Five Years

more emphatic increase.

3.665.988 BOTTLES 305,499 CASES

BRAND, An achievement unparalleled in the History of the Champagne Trade. The famous 1898 vintage now arriving is destined to make a still

more OTHER

THAN ANY

FOUND SERIOUSLY HURT.

John O'Connor, of No. 1484 First aveue, was found in a stable at No. 443 west Forty-seventh street suffering from concussion of the brain. He was attended by the family physician. The police think the man may have been the victim of foul play.

Andrew Mack

Story

Andrew Mack, the well-known artist, says: "When I was a boy it was always on hand at our house and whenever run down from hard John's Medicine, particularly when suffering from cold or grip.'

Builds up the body by nourishing the blood and nerves, at the same was reached.

Some one then secured permission or lung trouble—drives out the ima gentle laxative effect. Not a patent medicine-no poisonous, nerve-destroying drugs upon which the ma-jority of them depend for their temporary effects, and which are dangerous-vou are warned against them. Fifty years in use. Prevents consumption.

> Wed, and Thur. Dec. 3rd and 4th. Shoe Dept.

value \$5.00 & \$6.00 Fine Vici Kid,

French Calf and Enamel Boots, \$4.50,

value \$6.00 & \$7.00 ind Lord & Taylor

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The Sign

OF PROSPERITY IS THE LITTLE SUNDAY WORLD WANT. LITTLE WORLD WANTS PAY BIG PROF-ITS. WHATEVER YOUR BUSINESS MAY BE, YOUR SUNDAY WORLD WANT WILL PROVE THE SURE FORERUNNER

of Success.